

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

MAUREEN TOFFOLONI,
as Administratrix and Personal
Representative of the
ESTATE OF NANCY E. BENOIT,

Plaintiff,

v.

LFP PUBLISHING GROUP, LLC,
d/b/a Hustler Magazine,
MARK SAMANSKY, an Individual,
and other distributors and sellers of,
Hustler Magazine, as
Defendants X, Y, and Z,

Defendants.

CIVIL ACTION
FILE NO. 1:08-CV-0421-TWT

CERTIFICATE OF COUNSEL

In accordance with Northern District of Georgia Local Rule 37.1(A)(1) and Federal Rule of Civil Procedure 37(a)(1), the undersigned counsel for Plaintiff Maureen Toffoloni certifies that he has in good faith conferred with counsel for Defendant LFP Publishing Group, LLC, prior to filing Plaintiff's Motion to Compel in an effort to obtain the requested discovery materials without court action. Such

good faith effort, though ultimately unsuccessful, is evidenced by Exhibits A and B to Plaintiff's Brief in Support of Motion to Compel.

Respectfully submitted January 12, 2010.

/s/ Richard P. Decker

RICHARD P. DECKER

State Bar of Georgia #215600

Rdecker@hallmanwingate.com

F. EDWIN HALLMAN, JR.

State Bar of Georgia #319800

Ehallman@hallmanwingate.com

RICHARD A. WINGATE

State Bar of Georgia #770617

Rwingate@hallmanwingate.com

ZACHARY M. WILSON III

State Bar of Georgia #559581

Zwilson@hallmanwingate.com

For HALLMAN & WINGATE, LLC
Attorneys for Plaintiff

166 Anderson Street, S.E.
Suite 210
Marietta, Georgia 30060
(404) 588-2530

MAUREEN TOFFOLONI,
as Administratrix and Personal
Representative of the
ESTATE OF NANCY E. BENOIT,

V.

LFP PUBLISHING GROUP, LLC,
d/b/a Hustler Magazine,
MARK SAMANSKY, an Individual,
and other distributors and sellers of,
Hustler Magazine, as
Defendants X, Y, and Z,

CIVIL ACTION
FILE NO. 1:08-CV-0421-TWT

This is to certify that on January 12, 2010, I have electronically filed the foregoing Certificate of Counsel with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorney(s) of record:

3197-007\\Pleading\33287.wpd

Jeffrey F. Reina, Esq.
Paul J. Cambria, Esq.

And by placing a copy of same in the United States Mail in a properly addressed envelope with adequate postage thereon to:

William M. Feigenbaum, Esq.
Lipsitz, Green, Scime, Cambria, LLP
42 Delaware Avenue, Suite 120
Buffalo, NY 14202

/s/ Richard P. Decker
RICHARD P. DECKER
State Bar of Georgia #215600

For HALLMAN & WINGATE, LLC
Attorneys for Plaintiff

166 Anderson Street, S.E.
Suite 210
Marietta, Georgia 30060
(404) 588-2530